MEETING NOTES

SAFE AND HEALTHY NEIGHBORHOODS – WORKING GROUP

December 4, 2012

Members: Anderson, Buffone, Federman, Jackson, Kamins, Keller, Kennedy, Livingstone, Morra,

Nelson, O'Keeffe, Rosenthal, Tucker, Ziomek

Absent: Walczak

Town Manager's office is still working on recruiting a UMass faculty member and student members

Add Dave Z as contact on webpage

Save Paper! Print out only 5 packets: Ken, Sandra, Pat, Janet and John

TUCKER - RENTAL REGS

Confirm – recommendations and review examples of other communities' rental regulations

Ways in which to regulate rental properties:

- Respond using State regs
- Respond via BOH regs
- Use local bylaws & ordinances

What does this encompass?

Members like the regs from State College, PA and Newark, DE – both use what TOA is suggesting

Review Outline – missing anything?

1. Registration

Addressing student rentals only? MGL – not zone by who lives there as it is discriminatory! Town would be faced with legal challenge.

Explore with Town Counsel – adding new delegation? – "student housing" as a category of housing

University student privacy issues could make it difficult to confirm who is a student and could then cause problems with enforcement.

Dwelling units – what is included?

Section 8 and large complexes already getting rigorous inspections, perhaps they should be excluded from the rental registration?

Point made that we need rental registration information readily available, for all rental units.

Really important to be extremely clear about what why we are gathering information. Focus on nuisance housing at early stages.

Don't want to create a process that is too cumbersome

Walk before we run – complexes managed – trying to find hidden housing in order to focus on other than complexes. Complexes are a known entity, why require registration?

- Environment could change need to have it registered.
- Bldg. code can accept 3rd party inspections and not send our own.
- Non-discriminatory to require everyone to register and is the strongest in court

What are we trying to do and why?

Need to establish expectations:

- Of landlords
- Inform residents what they can expect
- Behavior & esthetics

Rental regis – is the channel to get this information

We already have an unknown # of rentals

- Have to get them on the list
- Provide list of rules
- Then enforce: esthetics, adequate parking, police calls, etc.

Arguing for doing this in a phased manner?

- 1. Register all units
- 2. Require license to operate

What do you want in the end?

Think about pieces and roll it all out together.

Need to understand the Town's capacity to handle the process & enforcement.

Town Manager is looking to provide resources.

Organize regs we have

Do we already have all the regs and just can't enforce

Staff – do we have adequate regs?

- At present we have a complaint driven system, but inexperienced tenants don't know when and if, to call.
- Need to make registration part of the permit process.
- What we don't have is, knowing where all the rentals are. The permit will allow access and give contact information. It is a framework for using regs we have efficiently.
- Missing: parking, maintenance of exterior, grounds, structure

One time effort – need workable way to gather and maintain. Thinks it should be tied to GIS, so that a query could be run to come up with a list of addresses to pursue that is much smaller than looking at the whole town. Penalty for not complying. Most time consuming = inspection and enforcement

Not sure what to do as landlord –how onerous will it be? Went through rental agencies to find rental addresses Certificate – preamble explaining why, info for # bedrooms, contact info

Change wording in rental registration from revocable to "renewable"

Preferences of examples – inspection, enforcement, fees/fines, pays for itself

Likes the rental regulations from State College & Newark. Conduct of one person affects the whole house and they have a point system.

Outreach to cities/towns – how is it manage? What problems have they had instituting the regulations?

What is the fear of having an inspector coming into a person's house?

Maintain building code – when constructed, co, smokes, etc.

Health and Fire – perform the rental inspection. As a landlord, you open your door to meeting the rules and regulations.

Good to breakdown the components.

1. To get permit – pass inspection, life/safety code, staff to determine all or subset of regulations

Staff can create a checklist, in order to sell registration to the public, so no fear of major upgrades.

Next Meeting: provide check list – also parking

Inspection elements:

- Parking how do we deal with it? By property, regulations, self defined? The permit will spell it out.
- Management plan waste, parking, complaint response plan, grounds maintenance plan
- Unregistered vehicles

- Pets licensed
- Furniture on lawn

Examples for next time

Inspections – how is staff going to manage?

- Depends on how it is phased in over 1-5 years. Will need to request staffing.
- Staff has discussed possibility of needing to hire more inspectors perhaps contract out.

It is a work in progress

Have to have realistic expectations. Town Meeting to act on some Zoning recommendations.

Laser in on true issues – take the first year to focus on these. Pub Health can enter buildings. Need Creative solutions – training program, certify inspectors to hire

Flag properties – wean problem properties out over time

Staff taking useable pieces from other towns

Making progress locating samples of 4 unrelated bylaws

Imperative for tackling 4 unrelated?

How does staff deal with this? Need to at least look at how to deal with this.

Carrying capacity – need to explore

Educate community and how do other communities enforce? Need a process for dealing with...

Don't love 4-unrelated, but how to enforce regardless of #.

Using Sq footage – even more challenging. Perhaps we defer discussion of 4-unrleated. Finish registration/permitting and then in January focus on # of people.

Eviction, court time – opportunity to understand issue and how to enforce. Keep coming back to # of people living in unit.

Can we really do that?

Why are there more than 4? To make more affordable. Coupled w/registration/permit Impact comes from trash, cars, noise

Timeline

- 4 unrelated currently grandfathered in
- New bylaw would replace

• Need to solve enforcement issue

Can staff flesh out the fees, fines, etc.

Yes – it is essential for staff to hear all different viewpoints

Adjust timeline to reflect front loading rental regs

Town – check with Town Counsel to see what way judge may go?

4-Unrelated is awkward to enforce & can we enforce?

Reviewed timeline for meeting dates and drafting rental regulations.

Need to commit to Public Forum dates: January 22 & February 19, so that they can be adequately publicized.